

Message

From: Pfeifer, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ED10EF76A4EE4FCBBDFF82B45726D64D-DPFEIFER]
Sent: 2/28/2013 8:14:22 PM
To: Poleck, Thomas [poleck.thomas@epa.gov]
Subject: FW: Phone Call About Bad River Tribal WWTPs Violations

David Pfeifer
Water Quality Standards
USEPA Region 5
312-353-9024

From: Ruppel, James
Sent: Thursday, February 28, 2013 1:37 PM
To: Cozza, Daniel; Rowan, Ann
Cc: Wester, Barbara; Pfeifer, David; Colletti, John; Horak, David; Mayo, Kathleen; Harmon, Darrel
Subject: RE: Phone Call About Bad River Tribal WWTPs Violations

I don't think Jack intends to call (although he may). I think WDNR referred the individual calling them Mr. Mikolajczak to EPA.

Jim Ruppel
U.S Environmental Protection Agency
Region V, WI Tribal Liaison
312-519-8666
ruppel.james@epa.gov

From: Cozza, Daniel
Sent: Thursday, February 28, 2013 7:48 AM
To: Rowan, Ann
Cc: Ruppel, James; Wester, Barbara; Pfeifer, David; Colletti, John; Horak, David; Mayo, Kathleen; Harmon, Darrel
Subject: FW: Phone Call About Bad River Tribal WWTPs Violations

Ann, here is another Bad River inquiry that is coming via WDNR. Jim Ruppel says that this guy, Jack Saltes, probably will be calling EPA this week. Do we refer him to you?

Daniel J. Cozza
Section 1 Chief, State and Tribal Programs Branch
Water Division, U.S. Environmental Protection Agency
77 W. Jackson Blvd. Chicago, IL 60604 WS-15J
312-886-7252
cozza.daniel@epa.gov

From: Harmon, Darrel
Sent: Wednesday, February 27, 2013 4:25 PM
To: Mathur, Bharat
Cc: Wester, Barbara; Cozza, Daniel
Subject: FW: Phone Call About Bad River Tribal WWTPs Violations

Additional details on Bad River. I told Jim that he should not respond. Let me know if there is a main contact here for this issue if it continues.

thanks....Darrel

From: Ruppel, James
Sent: Wednesday, February 27, 2013 4:18 PM
To: Cozza, Daniel
Cc: Harmon, Darrel; 'jack.saltes@wisconsin.gov'; Colletti, John
Subject: RE: Phone Call About Bad River Tribal WWTPs Violations

Hi Dan

See below for additional background.

Thanks

Jim Ruppel
U.S Environmental Protection Agency
Region V, WI Tribal Liaison
312-519-8666
ruppel.james@epa.gov

From: Saltes, Jack G - DNR [<mailto:Jack.Saltes@Wisconsin.gov>]
Sent: Wednesday, February 27, 2013 4:11 PM
To: Nyffeler, Robin T - DNR; Sylvester, Susan - DNR
Cc: Johnson, Kenneth G - DNR; Rasmussen, Russell A - DNR; Lemcke, Michael D - DNR; Mugan, Tom J - DNR; Ruppel, James; DeVenecia, Eric R - DNR; Bartilson, Kathy M - DNR
Subject: Phone Call About Bad River Tribal WWTPs Violations

I know that and I told him exactly that. He was insistent on talking to someone from WDNR. He made it a point to me that he was noting the day and time he made contact with WDNR (me) and notified them about this. He also made a point that he wanted WDNR to follow-up on the basis of the Public Trust Doctrine.

From: Nyffeler, Robin T - DNR
Sent: Wednesday, February 27, 2013 4:06 PM
To: Saltes, Jack G - DNR; Sylvester, Susan - DNR
Cc: Johnson, Kenneth G - DNR; Rasmussen, Russell A - DNR; Lemcke, Michael D - DNR; Mugan, Tom J - DNR; ruppel.james@epa.gov; DeVenecia, Eric R - DNR; Bartilson, Kathy M - DNR
Subject: RE: Phone Call About Bad River Tribal WWTPs Violations

EA regulates the tribal wwtps, not WDNR. Also, our ww certification program does not apply to the tribes. I am out until Monday. I think we need to direct calls to EPA.

From: Saltes, Jack G - DNR
Sent: Wednesday, February 27, 2013 3:58 PM
To: Sylvester, Susan - DNR
Cc: Johnson, Kenneth G - DNR; Rasmussen, Russell A - DNR; Lemcke, Michael D - DNR; Mugan, Tom J - DNR; ruppel.james@epa.gov; Wiemhoff.John@epamail.epa.gov; DeVenecia, Eric R - DNR; Bartilson, Kathy M - DNR; Nyffeler, Robin T - DNR
Subject: Phone Call About Bad River Tribal WWTPs Violations
Importance: High

I received a call today at about 3:00 pm from Joe Mikolajczak, an engineer from Milwaukee. He said he represents industries. He was referred to me by someone from the SER office. He said his primary reason for calling was The Public Trust Doctrine and protecting water resources in our State, which was at the heart of why he was calling to report the problems occurring at these plants. He said he also

contacted an attorney from DOJ. He told me that DOJ advised him to call DNR. He has not yet contacted EPA.

He said he has been following closely the Bad River Tribal WWTPs (of which there are three) and their problems. These plants have three NPDES permits issued by EPA. He indicated he was knowledgeable about wastewater treatment, knew what he was talking about and was very familiar with these plants and their water quality and reporting/records violations. He said that there are major problems with these plants and questioned if these plants even have certified operators to run them. He said that there have been hundreds of water quality violations from these plants as well as reporting problems over many years.

Below is yesterday's JSONline News Release about the situation:

<http://www.jsonline.com/news/wisconsin/bad-river-band-has-its-own-water-quality-problems-bf8ui6t-193429261.html>

Mr. Mikolajczak would like to receive a return call or email from someone from WDNR about what the Department actions will be in protecting our water resources according to the Public Trust Doctrine. His phone number is **262-784-6275** and email is jmme@milwpc.com. Jack



Jack G. Saltes

Wastewater Operations Engineer (M.S., P.E.)

Wisconsin Department of Natural Resources

Bureau of Water Quality (WT/3)

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